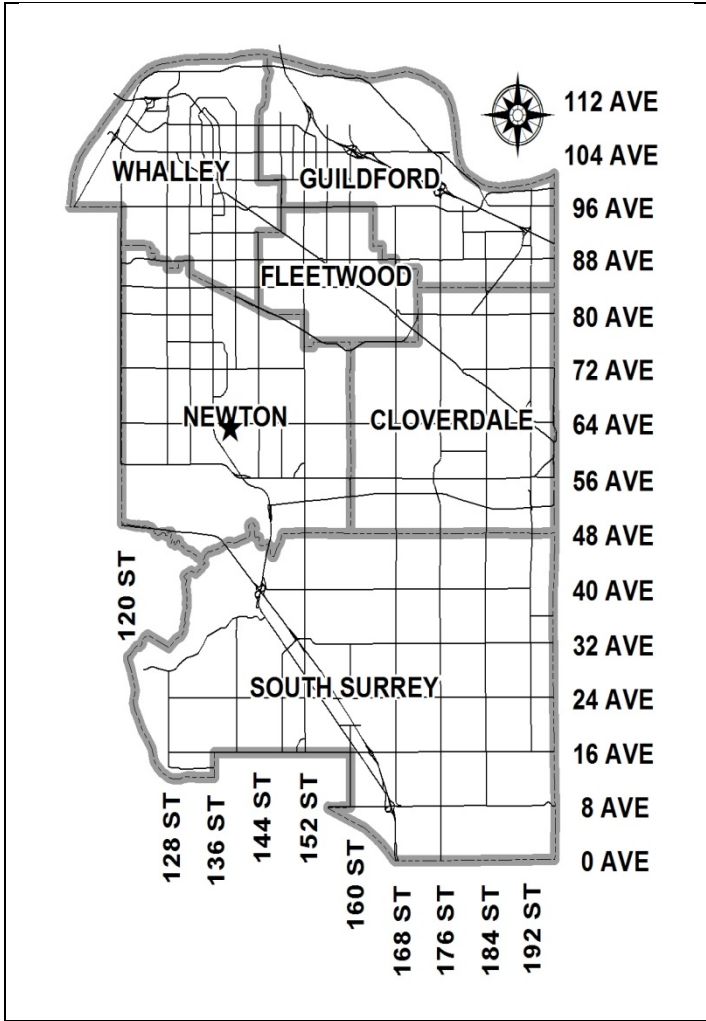


City of Surrey
PLANNING & DEVELOPMENT REPORT

File: 7915-0340-00

Planning Report Date: January 11, 2016



PROPOSAL:

- **Development Variance Permit** to defer the works and services requirement of the Subdivision and Development By-law.

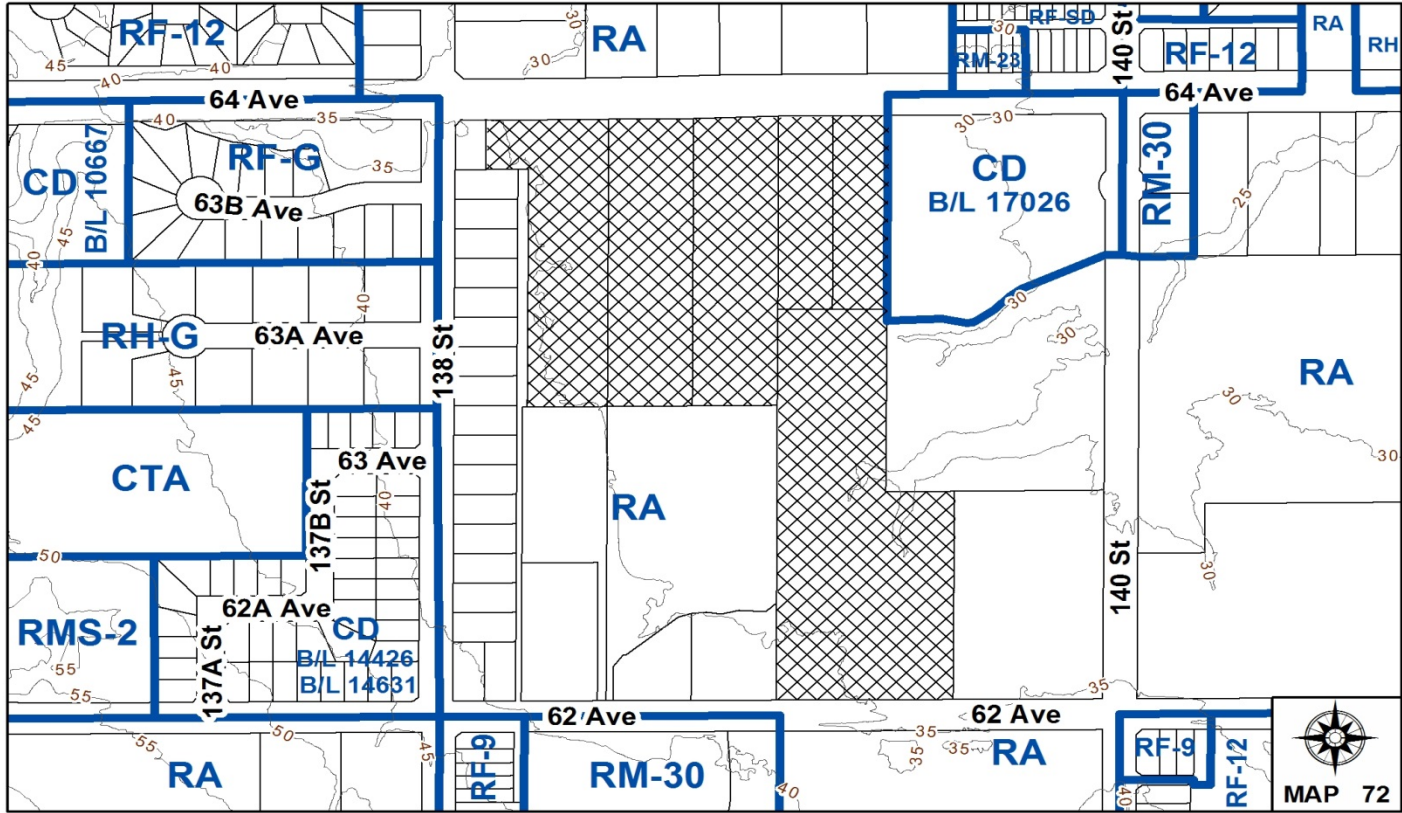
LOCATION: 13812, 13856, 13890, 13928 and 13906 64 Avenue
 13925 62 Avenue

OWNER: Bagh S Dhanda
 404163 BC Ltd
 o801212 BC Ltd
 Panorama West Home Ltd.

ZONING: RA

OCP DESIGNATION: Urban

NCP DESIGNATION: "Townhouses 15 u.p.a.", "Single Family Small Lots", "Detention Pond" and "Creeks and Riparian Setbacks"



RECOMMENDATION SUMMARY

- Approval for Development Variance Permit to proceed to Public Notification.

DEVIATION FROM PLANS, POLICIES OR REGULATIONS

- Requires a variance to the Subdivision and Development By-law No. 8830.

RATIONALE OF RECOMMENDATION

- The property located at 13925 62 Avenue is divided by a significant Class A watercourse.
- There is no practical opportunity for a vehicle crossing of this creek. Vehicle access to the isolated portion is however available from the proposed townhouse site associated with Development Application No. 7911-0111-00 located to the north.
- Deferring the requirement for works and services will allow for a subdivision of convenience, subdividing the isolated portion of 13925 62 Avenue so that it can be consolidated with the lands associated with Development Application No. 7911-0111-00.
- This process will create two development lots that are more consistent with natural boundaries within the area, which will be considered for redevelopment under existing Development Application Nos. 7910-0305-00 and 7911-0111-00.
- Works and Services will be required from these two sites when their respective development applications proceed.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7915-0340-00 (Appendix IV) varying the following, to proceed to Public Notification:
 - (a) to defer the works and services requirement of the Subdivision and Development By-law No. 8830 for proposed Lots 1 and 2 (Appendix II).
2. Council instruct staff to resolve the following issue prior to approval:
 - (a) Registration of a Section 219 'no-build' Restrictive Covenant for each of proposed Lots 1 and 2; and
 - (b) Completion of the outstanding requirements associated with Development Application No. 7911-0111-00 and the proposal is presented to Council for the consideration of Final Adoption.

REFERRALS

Engineering: The Engineering Department has no objection to the project (Appendix III).

SITE CHARACTERISTICS

Existing Land Use: Vacant, heavily treed site encompassing multiple lots with several creeks.

Adjacent Area:

Direction	Existing Use	OCP/NCP Designation (South Newton)	Existing Zone
North (Across 64 Avenue):	Vacant Land and Townhouses	Urban/Townhouses (15 u.p.a.)/Creeks and Riparian Setbacks	RA
East:	Single family dwellings, vacant land (City-owned), townhouses.	Urban/ Townhouses (25 u.p.a.)/Creeks and Riparian Setbacks/Single Family Residential Flex (6 - 14.5) u.p.a./Detention Ponds	RA & CD (By-law No. 17026)
South (Across 62 Avenue):	Single Family dwellings, Park, and Townhouses	Urban/ Townhouses 15 u.p.a./Creeks and Riparian Setbacks/Single Family Residential Flex (6 - 14.5) u.p.a./Detention Ponds	RA & RM-30
West:	Single Family Dwelling (Development Application No. 15-0187-00 proposes Townhouses)	Urban/Townhouses (15 u.p.a.)/Creeks and Riparian Setbacks/ Detention Ponds	RA

DEVELOPMENT CONSIDERATIONS

Background & Site Description

- The subject site includes the entire areas of Development Applications 7910-0305-00 and 7911-0111-00, totaling 7 individual properties and 5.8 hectares (14.4 acres) stretching between 62 and 64 Avenues. The site is currently zoned “One-Acre Residential Zone” (RA), designated ‘Urban’ in the Official Community Plan (OCP), and is designated “Townhouses 15 u.p.a.”, “Single Family Small Lots”, “Detention Pond” and “Creeks and Riparian Setbacks” in the South Newton Neighbourhood Concept Plan (NCP).
- The subject site is currently vacant, but heavily treed, with remains of former structures (single family dwellings). Archibald Creek, as well as other unnamed tributaries, traverse the site in a generally east-west direction. The site is surrounded by development activity, some of which has already been completed.
- Archibald creek, the principle watercourse on the site, completely divides the development site. The creek isolates the northern portion of 13925 62 Avenue (which comprises Development Application No. 7910-0305-00) from the southern portion of the lot.
- 13925 62 Avenue only has road frontage along 62 Avenue. Without a vehicle crossing of Archibald Creek, the northern portion of 13925 62 Avenue has no vehicle access, unless provided by a neighbouring property.
- Application 7911-0111-00 (Appendix V), comprising the northern 3.8 hectare (9.4 acre) portion of the current subject site, proposes an NCP Amendment (to Townhouses 25 u.p.a.), Development Permit and Rezoning (from RA to CD) in order to develop 202 townhouse units. This application was granted 3rd Reading by Council on March 23, 2015 and is nearing completion of all outstanding requirements.
- Application 7910-0305-00 (Appendix V), proposing an NCP Amendment (to Townhouses 25 u.p.a.), Development Permit and Rezoning (from RA to CD) for 53 townhouse units, is still in the initial stages of review - pending the resolution of the issues identified as part of this application. Following successful issuance of a DVP (as described herein) the applicant will be required to submit a revised site plan and accompanying information to proceed with this application.

Proposal

- The current application is for a Development Variance Permit to defer the required works and services of the subdivision and Development By-law (No. 8830). The works and services will be completed as part of two future development applications following the process noted below.
- The applicants propose to subdivide away [approximately] 9,000 m² (2.2 acre) of 13925 62 Avenue that lies north of Archibald Creek, and consolidate these lands with those that comprise Development Application No. 7911-0111-00. This will create the following scenario:

- The property at 13925 62 Avenue will be reduced in area to 1.3 hectares (3.2 acres) and comprise only lands south of Archibald Creek. This is shown as Lot 2 in the Subdivision Plan contained in Appendix II.
- This 1.3 hectare (3.2 acre) remainder portion will proceed independently as Development Application 7910-0305-00. A revised site plan will be submitted by that applicant.
- The 9,000 m² (2.2 acre) portion of land north of Archibald creek will be consolidated with the lands that comprise Development Application 7911-0111-00 (13812, 13856, 13890, 13928 and 13906 64 Ave) to create a single 4.5 hectare (11.1 acre) parcel shown as Lot 1 in Appendix II .
- Development Application 7911-0111-00 will proceed independently of this application as proposed. Pursuant to the completion of the outstanding requirements for that application, and Council granting Final Adoption to the associated Rezoning By-law, the subdivision plan for this proposal will be finalized.
- The applicant will be required to register a ‘no-build’ restrictive covenant over the 9,000 m² (2.2 acre) portion of land. The applicant will also be required to register a ‘no-build’ restrictive covenant over the remainder of 13925 62 Avenue until such a time that a development application is completed on that site.
- Pursuant to the aforementioned process, this resulting 4.5 hectare (11.1 acre) parcel (Lot 1 - Appendix II) will be split-zoned. The 9,000 (2.2 acre) portion subdivided by this application will remain RA (“One Acre Residential Zone”), whereas the remaining 3.6 hectares (8.9 acre), pursuant to Council’s final approval of the rezoning by-law associated with Development Application 7911-0111-000, will be zoned CD (“Comprehensive Development Zone”).
- The applicant for 7911-0111-00 will submit a new Rezoning and Development Permit application for proposed development of the 9,000 m² (2.2 acre) portion of proposed Lot 1.
- Riparian setbacks from Archibald Creek will be determined through a successive Development Application (number to be determined) and Development Application 7910-0305-00, respectively.
- The no-build covenant will ensure that no construction takes place on either portion of land (north and south of Archibald Creek), currently addressed as 13925 62 Avenue, until successive Development Applications are completed. Servicing Agreements will be required for each of these applications, ensuring that the appropriate services, as well as tree protection, riparian protection, and any other implications of a development application, are considered.

PRE-NOTIFICATION

Development Proposal signs are already in place for Development Application Nos. 7910-0305-00 and 7911-0111-00, therefore installation of additional Development Proposal signs was deemed to not be necessary.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To defer works and services requirements of the Subdivision and Development By-law No. 8830 for proposed Lots 1 and 2, in order that they be completed under Development Application Nos. 7911-0111-00 and 7910-0305-00.

Applicant's Reasons:

- A private agreement between the applicants for 7911-0111-00 and 7910-0305-00 for the sale of a portion of land being subdivided from 13925 62 Avenue has been arranged.
- The proposal makes for a more practical arrangement of land and ease of development of the site.

Staff Comments:

- The property located at 13925 62 Avenue is divided by a significant Class A watercourse.
- There is no practical opportunity for a vehicle crossing of this creek. Vehicle access to the isolated portion is however available from the proposed townhouse site of Development Application 7911-0111-00 (located to the north).
- Waiving the requirement for works and services will allow for a subdivision of convenience, subdividing the isolated portion of 13925 62 Avenue so that it can be consolidated with the lands that form Development Application 7911-0111-00.
- This process will create two development lots that are more consistent with natural boundaries within the area, which will be considered for redevelopment under existing Development Application Nos. 7910-0305-00 and 7911-0111-00.
- Staff concur that the proposal facilitates a more practical arrangement of land and ease of the development process.
- Works and Services will be required from these two sites when their respective development applications proceed. A no-build restrictive covenant over the portion of land impacted by this proposal will ensure this.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary
Appendix II.	Proposed Subdivision Layout
Appendix III.	Engineering Summary
Appendix IV.	Development Variance Permit No. 7915-0340-00
Appendix V	Area of Development Application Nos. 7910-0305-00 and 7911-0340-00

original signed by Ron Hintsche

Jean Lamontagne
General Manager
Planning and Development

DS/dk

Harjit S. Atwal
Parmjit Singh Randhawa
Officer Information:
Harjit S. Atwal (President)
Parmjit Singh Randhawa (Secretary)

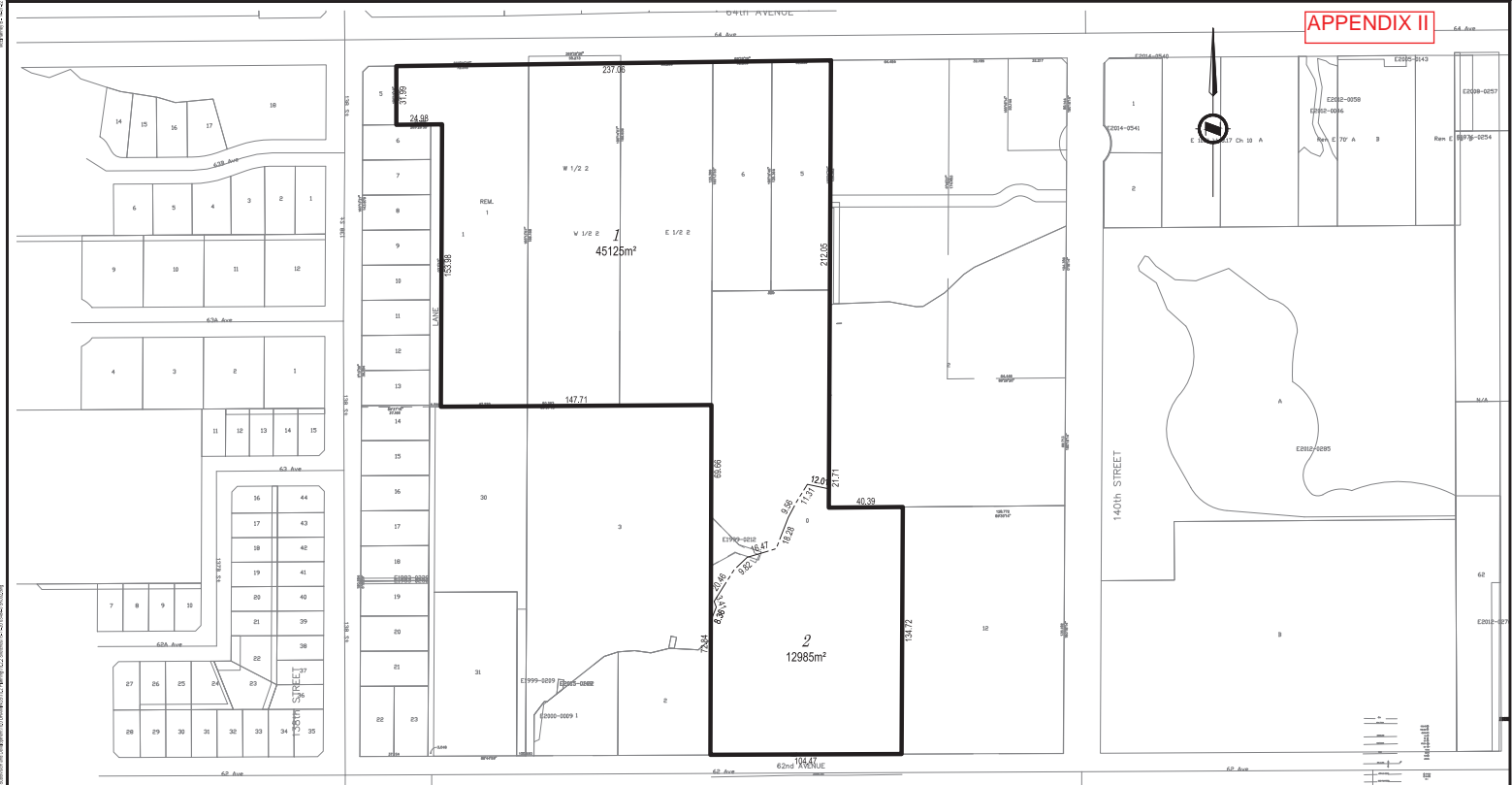
PID: 011-380-446
East Half Lot 2 Except: Part Dedicated Road On Plan Bcp16516, Section 9 Township 2 New Westminster District Plan 9114

- (e) Civic Address: 13928 - 64 Avenue
Owner: Panorama West Home ltd.
PID: 002-183-498
Lot 5 Except: Part Dedicated Road On Plan Bcp17091 Section 9 Township 2 New Westminster District Plan 12452
- (f) Civic Address: 13906 - 64 Avenue
Owner: Panorama West Home ltd.
PID: 000-863-432
Lot 6 Except: Part On Plan Bcp16246 Section 9 Township 2 New Westminster District Plan 12452
- (g) Civic Address: 13925 - 62 Avenue
Owner: 404163 Bc Ltd
Bagh S Dhanda
Director Information:
Parminder Kaur Saran
Officer Information:
Parminder Kaur Saran (President, Secretary)
Bagh S Dhanda
PID: 013-212-923
East Half Of The North Half Of The North West Quarter Section 9 Township 2 Except:
Firstly: The East 33 Feet Secondly: The South 33 Feet Thirdly: The West 10 Chains
Fourthly: Part Subdivided By Plan 12452 Fifthly: Parcel "A" (Explanatory Plan 13706)
Sixthly: Part On Plan 23829 And Seventhly: Part Subdivided By Plan 33797 Eighthly: Part
Dedicated Road On Plan Bcp19402 New Westminster District

3. Summary of Actions for City Clerk's Office

- (a) Proceed with Public Notification for Development Variance Permit No. 7915-0340-00 and bring the Development Variance Permit forward for an indication of support by Council. If supported, the Development Variance Permit will be brought forward for issuance and execution by the Mayor and City Clerk in conjunction with the final adoption of Rezoning By-law No. 18417 (Development Application No. 7911-0111-00)

APPENDIX II



- NOTES:**
- THIS DRAWING IS FOR PRELIMINARY LAYOUT ONLY, AND SUBJECT TO MUNICIPAL APPROVAL
 - THE AREAS AND DIMENSIONS SHOWN ON THE DRAWINGS ARE SUBJECT TO DETAILED SURVEY AND CALCULATIONS, AND MAY VARY.
 - THIS DRAWING IS NOT TO BE USED FOR LEGAL TRANSACTIONS

OVERALL SITE AREA APPROX 5.81 ha. (14.40 ac.)
 LAYOUT ASSUMES RM-30 ZONE
 MIN LOT AREA 2000m² WIDTH 30m DEPTH 30m



DRAFT
 FOR DISCUSSION ONLY

Prepared for: Dhanda and 404163 BC
 Proposed Subdivision Plan
 Part of South Newton NCP

Drawing No. **SK002**
 Project Number 2111-03484-00
 Rev. 0

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INTER-OFFICE MEMO

TO: **Manager, Area Planning & Development
- South Surrey Division
Planning and Development Department**

FROM: **Development Services Manager, Engineering Department**

DATE: **January 6, 2016
(Revised)** PROJECT FILE: **7815-0340-00**

RE: **Engineering Requirements
Location: 13812, 13856, 3890, 13928, 13906 64 Ave, 6378 138 St, 13925 62 Ave**

DEVELOPMENT VARIANCE PERMIT

There are no engineering requirements relative to issuance of the Development Variance Permit.

SUBDIVISION

Engineering requirements will be deferred and completed under applications 7910-0305-00 and 7911-0111-00.



Rémi Dubé, P.Eng.
Development Services Manager

LR

CITY OF SURREY

(the "City")

DEVELOPMENT VARIANCE PERMIT

NO.: 7915-0340-00

Issued To: BAGH S DHANDA
("the Owner")

Address of Owner: 7500 - 129A Street
Surrey, BC V3W 1B1

Issued To: 404163 BC LTD
("the Owner")

Address of Owner: 12436 - 63A Avenue
Surrey, BC V3X 2C7

Issued To: o801212 BC LTD
("the Owner")

Address of Owner: 5861 - Kettle Crescent West
Surrey, BC V3S 8N9

Issued To: PANORAMA WEST HOME LTD.
("the Owner")

Address of Owner: 5861 - Kettle Crescent West
Surrey, BC V3S 8N9

1. This development variance permit is issued subject to compliance by the Owner with all statutes, by-laws, orders, regulations or agreements, except as specifically varied by this development variance permit.
2. This development variance permit applies to that real property including land with or without improvements located within the City of Surrey, with the legal description and civic address as follows:

Parcel Identifier: 005-697-611

Lot 1 Except: Firstly: Part Plan 19603, Secondly: Part Dedicated Road On Plan Bcp15749, Section 9 Township 2 New Westminster District Plan 9114

13812 64 Ave

Parcel Identifier: 006-670-342

West Half Lot 2 Except Part In Plan Bcp18036 Section 9 Township 2 New Westminster District Plan 9114

13856 64 Ave

Parcel Identifier: 011-380-446

East Half Lot 2 Except: Part Dedicated Road On Plan Bcp16516, Section 9 Township 2 New Westminster District Plan 9114

13890 64 Ave

Parcel Identifier: 002-183-498

Lot 5 Except: Part Dedicated Road On Plan Bcp17091 Section 9 Township 2 New Westminster District Plan 12452

13928 64 Ave

Parcel Identifier: 000-863-432

Lot 6 Except: Part On Plan Bcp16246 Section 9 Township 2 New Westminster District Plan 12452

13906 64 Ave

Parcel Identifier: 013-212-923

East Half Of The North Half Of The North West Quarter Section 9 Township 2 Except: Firstly: The East 33 Feet Secondly: The South 33 Feet Thirdly: The West 10 Chains Fourthly: Part Subdivided By Plan 12452 Fifthly: Parcel "A" (Explanatory Plan 13706) Sixthly: Part On Plan 23829 And Seventhly: Part Subdivided By Plan 33797 Eighthly: Part Dedicated Road On Plan Bcp19402 New Westminster District

13925 62 Ave

(the "Land")

3. (a) As the legal description of the Land is to change, the City Clerk is directed to insert the new legal description for the Land once title(s) has/have been issued, as follows:

Parcel Identifier:

- (b) If the civic address(es) change(s), the City Clerk is directed to insert the new civic address(es) for the Land, as follows:
-

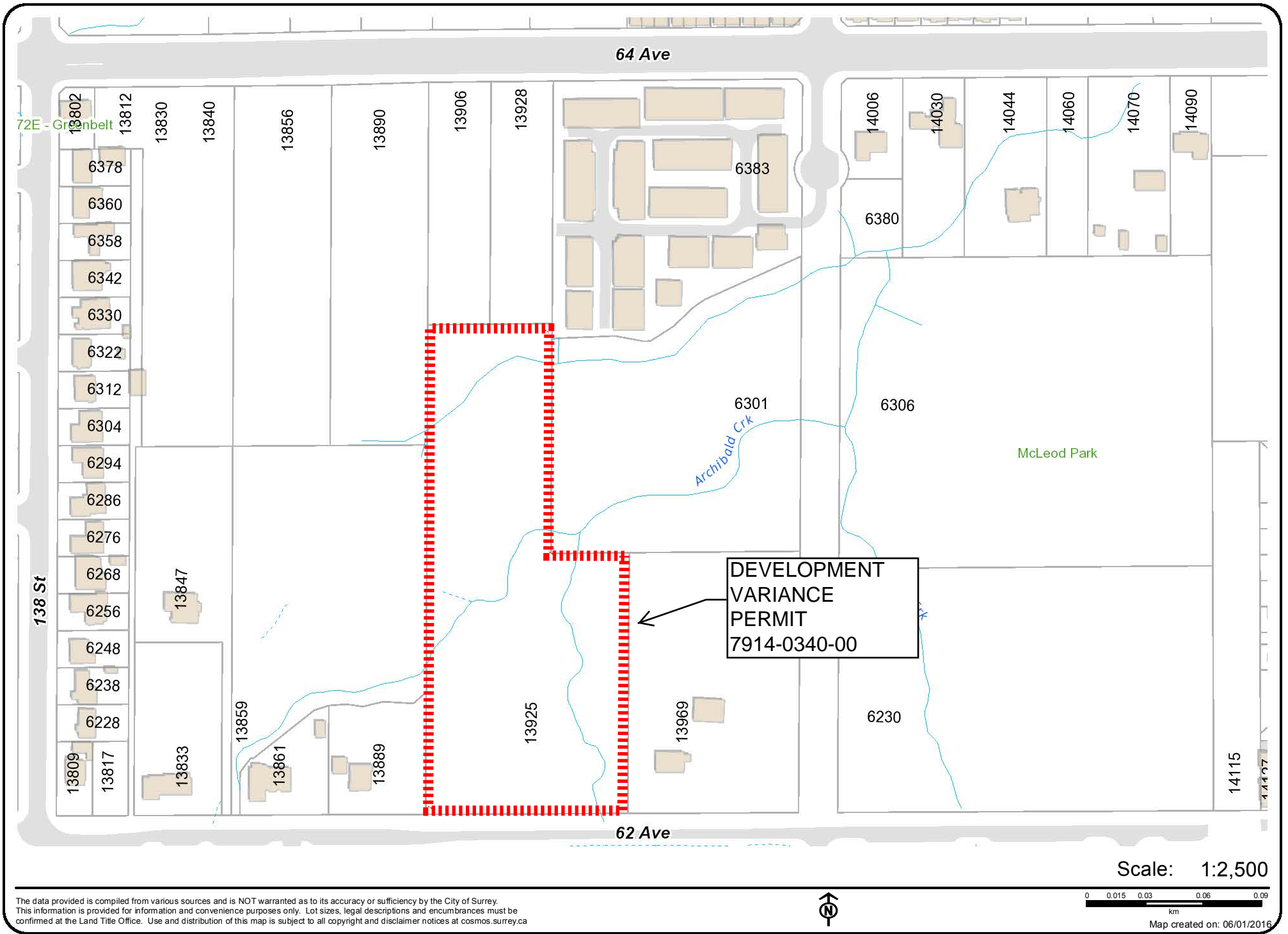
4. Surrey Subdivision and Development By-law, 1986, No. 8830, as amended is varied as follows:
- (a) The works and services requirements of Part V of Surrey Subdivision and Development By-law, 1986, No. 8830 are deferred in order to permit a subdivision of convenience. Works and Services, pursuant to the requirements of By-law No. 8830, will be required as part of any future development or subdivision application.
5. This development variance permit applies to only the portion of the Land shown on Schedule A which is attached hereto and forms part of this development variance permit.
6. The Land shall be developed strictly in accordance with the terms and conditions and provisions of this development variance permit.
7. This development variance permit shall lapse unless the subdivision, as conceptually shown on Schedule B which is attached hereto and forms part of this development variance permit, is registered in the New Westminster Land Title Office within three (3) years after the date this development variance permit is issued.
8. The terms of this development variance permit or any amendment to it, are binding on all persons who acquire an interest in the Land.
9. This development variance permit is not a building permit.

AUTHORIZING RESOLUTION PASSED BY THE COUNCIL, THE DAY OF , 20 .
ISSUED THIS DAY OF , 20 .

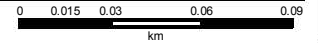
Mayor – Linda Hepner

City Clerk – Jane Sullivan

7915-0340-00 - SCHEDULE A



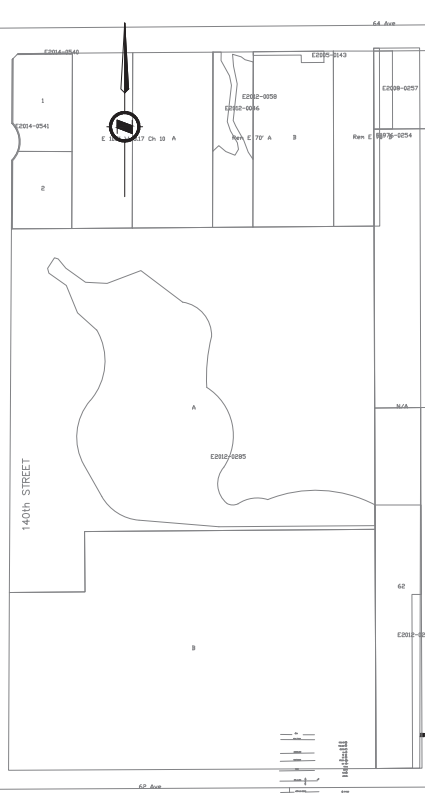
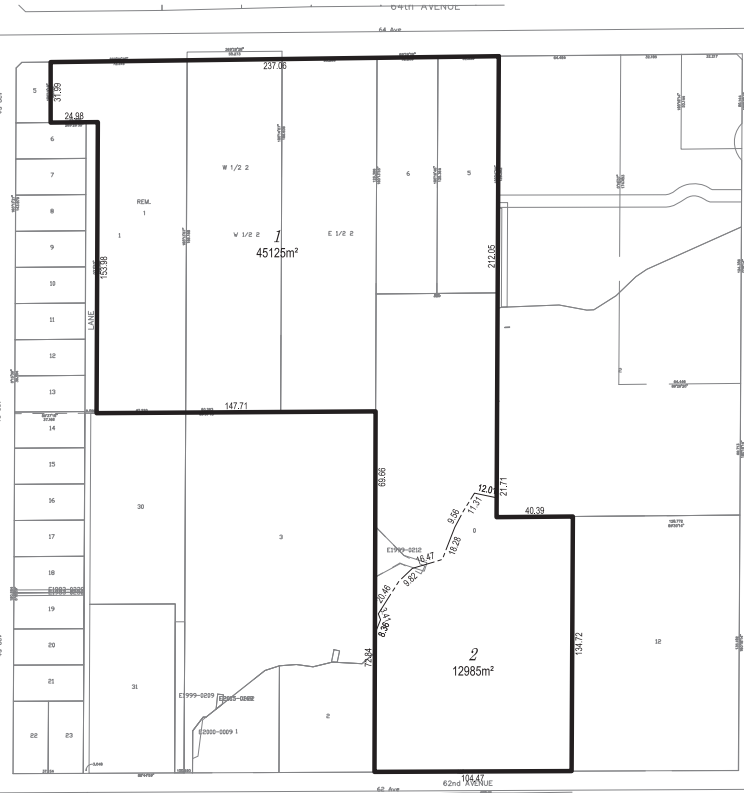
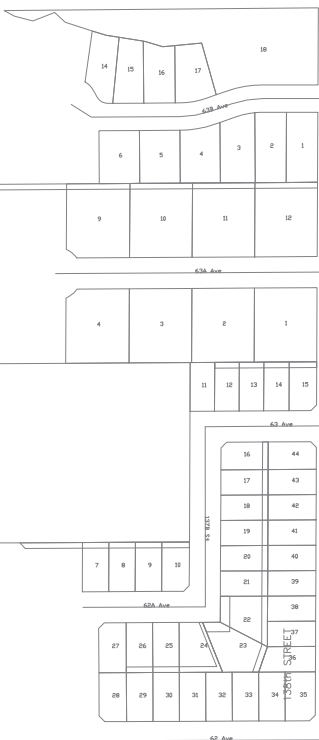
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Scale: 1:2,500

Map created on: 06/01/2016

7915-0340-00 SCHEDULE B

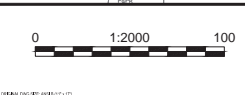


NOTES:

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OVERALL SITE AREA APPROX 5.81 ha. (14.40 ac.)
 LAYOUT ASSUMES RM-30 ZONE
 MIN LOT AREA 2000m² WIDTH 30m DEPTH 30m

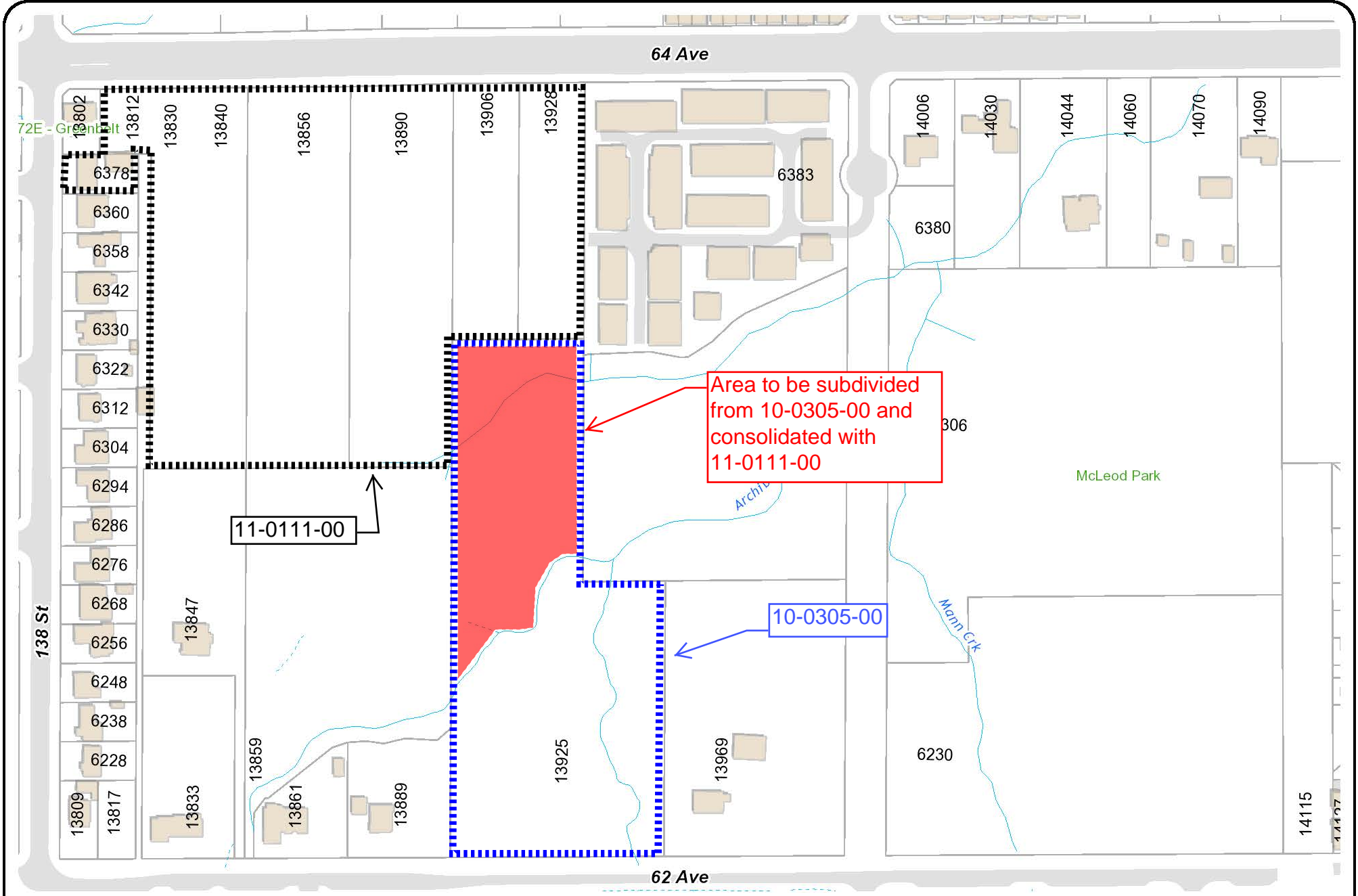
McElhenney Consulting Services Ltd.
 19025 62 Ave, Surrey BC
 2111-43484-00



DRAFT
 FOR DISCUSSION ONLY

Prepared for: Dhanda and 404163 BC
 Proposed Subdivision Plan
 Part of South Newton NCP
SK002
 19025 62 Ave, Surrey BC
 November 25, 2015

7915-0340-00 SCHEDULE B
 19025 62 Ave, Surrey BC
 2111-43484-00
 November 25, 2015



Area of Applications 7910-0305-00, 7911-0111-00 and land to be subdivided.

Scale: 1:2,500

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